

SPOTLIGHTS ON EUROPEAN AND FRENCH FUNDING IN TUNISIA

**MIGRATION COOPERATION
AT THE COST OF HUMAN RIGHTS?**



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21 February 2023.

Kais Saied, the President of the Tunisian Republic, declared in a statement that *«there is a criminal plan to change the composition of the demographic landscape of Tunisia»*. In a resolutely xenophobic speech, he spoke of *«hordes of illegal migrants»* whose presence in Tunisia would, according to him, be a source of *«violence, unacceptable crimes and practices»*. This was followed by a surge of attacks on an unprecedented scale against people of sub-Saharan origin, living in the country.

16 July 2023.

The President of the European Commission, the Prime Minister of the Netherlands, and the President of the Italian Council clasped hands with Kais Saied during the signing of a historic agreement between the European Union and Tunisia. The *«Memorandum of Understanding»* announced substantial funding for the country, specifically aimed at addressing migration to Europe.

Four months apart, these two events illustrate the appalling cynicism demonstrated over several years by the European Union (EU) and its Member States towards Tunisia. The EU, in its efforts to restrict migration to Europe, is increasingly supporting Tunisia's authoritarian regime in reinforcing border controls, with no clear regard for the resulting human rights violations, using various means of pressure to achieve its ends.

In recent years, the situation of exiled people in Tunisia has considerably deteriorated, as the country has descended into authoritarianism and heightened nationalism. The democratic ideals of the 2011 Jasmine Revolution now appear distant, as the government is working to portray sub-Saharan foreigners as a scapegoat for the country's economic and social challenges.

This study by CCFD-Terre Solidaire examines the Tunisian political context, marked by an authoritarian shift facilitating human rights violations, especially those of exiled individuals, as well as the escalating financial support provided by the EU and France to strengthen the capacities of the authorities responsible for monitoring these populations.

It highlights the lack of transparency and effective control regarding the nature and use of European and French funding, as well as the absence of any stipulations tying this financial support to the respect of human rights. Finally, the study offers recommendations for the European Commission and EU Member States to cease their contributions to human rights violations in the country.

RECOMMENDATIONS

Given serious violations of the human rights of people in exile repeatedly documented in Tunisia in recent months, the European Union and its Member States must react in order to align their financial and operational cooperation framework with this State to comply with their obligations under public international law and human rights law.

CCFD-Terre Solidaire therefore recommends the European Commission and Member States of the European Union concerned, including France:

- ▀ **Immediately and completely suspending all funding and other types of human or material support** (training, provision of equipment, technical cooperation) **aimed at strengthening the police and/or military forces involved in border control in Tunisia.**

The report placed particular emphasis on EU and Member States' support for the Tunisian Coast Guard, the Navy, the National Guard and the Directorate of Border and Foreigners' Police, whose members have been implicated in documented human rights violations in recent months.

- ▀ **Condemning any speech, project, or legislation aimed at repressing or criminalising civil society in Tunisia**, and engaging in serious political discussions with Tunisian authorities regarding all attacks against associations and individuals, with the aim of releasing those charged and ending the prosecution.

- ▀ **Conducting an independent and public evaluation of the border control projects they fund and/or carry out in Tunisia, focusing on their human rights repercussions.** These assessments would make it possible to establish frameworks ensuring human rights protections, which are essential prior to the initiation of any new project on this subject in Tunisia. These findings should be made available to national and European parliaments, as well as to the civil society.

- ▀ **Condemning all xenophobic speeches and statements from the Tunisian government intended to incite racial hatred.** These institutions should also urge Tunisia to conduct an independent inquiry into all rights violations against those in exile in recent months, including cooperation between the Tunisian authorities and Libyan militias, to ensure clear accountability and reforms to prevent the recurrence of such acts.

- ▀ **Stopping considering Tunisia as a «safe country» in which people rescued at sea could be disembarked without risk to their dignity and lives.** The shortcomings of the Tunisian asylum system, the ineffectiveness of access to rights, and the serious and recurring violence experienced by people exiled in this country are enough to classify it as *unsafe* for migrants.

- ▀ **Developing public, detailed and comprehensive databases documenting all funded projects on border control in Tunisia.** This requirement is the only one capable of meeting the crucial need for transparency of public accounts and allowing effective democratic control over this funding. Members of the European Parliament and national parliaments should therefore demand access to this data, and even the validation of any border control projects, which could potentially undermine human rights significantly.

1

AUTHORITARIAN DRIFT CULTIVATING XENOPHOBIA AT THE TOP OF THE STATE

THE GRADUAL DISMANTLING OF THE DEMOCRATIC SYSTEM

In recent years, the Tunisian government has witnessed an escalating authoritarian trend. On 25 July 2021, in response to widespread protests demanding regime change, President Kais Saied invoked Article 80 of the 2014 Constitution, authorising him to take «*all necessary measures*» in the event of an «*imminent danger threatening the integration, security or independence of the country*». He then took the decision to dismiss the Mechichi government with immediate effect and announced the suspension of Parliament¹, before granting himself the right to rule by decree a few months later². This move was widely interpreted as a «*power grab*» by the country's leading social, political, and legal entities, and as a «*coup d'état*» by thousands of demonstrators³. Following this, Najla Bouden was tasked with forming a government, which became operational in October 2021.

On 5 February 2022, President Saied dissolved the Supreme Council of the Magistracy, an independent judicial oversight body, which he deemed to be biased and serving specific interests⁴. This Council was established after the Jasmine Revolution to protect judges from government influence. On 30 March, as parliamentarians convened to vote on the end of the emergency measures enacted by the President in July 2021, he dissolved the Assembly of the Representatives of the People, without committing to the early holding of legislative elections within the three-month timeframe, as outlined in the Constitution⁵. He also announced the launch of a legal inquiry for «*endangering State security*» against the 127 parliamentarians who opposed the parliament's suspension.

On 1 June, the President dismissed 57 judges, accusing them of corruption and protecting terrorists⁶. The President's speeches use the denotations of «*enemies within*», foreign interference, or the need to «*purify*» the justice system and the country.

¹ Le Monde, En Tunisie, la crise politique atteint un nouveau sommet, 26 July 2021.

² Le Monde, Tunisie : Kais Saied renforce les pouvoirs de la présidence, 22 September 2021.

³ France 24, Tunisie : des manifestants se mobilisent contre le 'coup d'Etat' du président Saïed, 26 September 2021.

⁴ Le Monde, En Tunisie, le président annonce la dissolution du Conseil supérieur de la magistrature, 6 February 2022.

⁵ Le Monde, En Tunisie, la dissolution du Parlement prolonge la crise politique, 31 March 2022.

⁶ France 24, En Tunisie, le président Kais Saïed limoge 57 juges qu'il accuse de corruption, 2 June 2022.

On 25 July, a new Constitution was finally put to a referendum, replacing the post-2014 revolution version, and endorsed by over 94% of voters, amidst low turnout (less than 30% of registered voters) and boycotts by some political parties. These parties criticised the extensive powers granted to the President in the revised text, as well as the weakening of parliamentary authority and judiciary independence⁷. The new Constitution thus confirmed the institutional dismantling and authoritarian drift in which Kais Saied was engaging.

Early legislative elections eventually took place in December 2022 and January 2023, with an unprecedented abstention rate (around 91% for the first round and 89% for the second round)⁸, largely driven by boycott calls from the nation's major political parties⁹. This marks the lowest voter turnout since the 2011 Revolution, for the election of a Parliament whose prerogatives have been significantly reduced since 25 July 2021.

THE GROWING REPRESSION OF POLITICAL OPPOSITION AND SOCIAL MOVEMENTS

In parallel with the institutional upheaval, which has resulted in the separation of powers, the Tunisian executive has been working since 2021 to increase the repression of any organisations and individuals perceived as opposition.

The crackdown initially targeted opposition parliamentarians, whose immunity Kais Saied revoked in July 2021, with the aim of prosecuting certain members of parliament for defamation, «*speech offences*», or corruption. Some have been imprisoned, others placed under house arrest, or subject to travel restrictions, decisions deemed arbitrary by human rights organisations such as *Human Rights Watch*¹⁰.

This wave of repression did not remain confined to the political sphere, but quickly spread to members of social organisations (associations, unions) as well as the media. On 13 September 2022, Kais Saied enacted Decree-Law 54, officially targeting cybercrime. However, it gives the executive broader powers to regulate online content and punish its authors, thus limiting freedom of expression. The International Commission of Jurists denounced the provisions as so vague that they open the door to the criminalisation of journalists' and activists' work, and expose them to disproportionate penalties¹¹.

Since 2017, bloggers, activists, journalists, and lawyers have faced investigations and legal proceedings. However, Decree-Law 54 allows for harsher prison sentences and the retrieval of personal data based on unclear and potentially arbitrary grounds. In October 2022, a lawyer was prosecuted for online defamation against the Minister of Justice, and a student detained for creating a Facebook page in a neighbourhood where clashes between police and protesters had occurred a few days earlier. In November 2022, the director of the media outlet *Business News* was questioned after publishing an article criticising the head of government¹².

The repression intensified further in February 2023, as the Tunisian President ordered the arrest of a dozen individuals accused of terrorism, «*conspiring to undermine the state and manipulate food prices to foment social tension*»¹³. Among those targeted are members of opposition parties belonging to the National Salvation Front (including the Ennahdha party), political activists, a trade unionist, former magistrates, the director of Mosaïque FM radio, and lawyers—some of whom were involved in defending individuals arbitrarily detained since 2021¹⁴.

⁷ Le Monde, En Tunisie, la nouvelle Constitution adoptée sans ferveur, 26 July 2022.

⁸ France 24, En Tunisie, le taux de participation au second tour des législatives s'élève à 11,4%, 30 January 2023.

⁹ African Union, Mission d'observation électorale de l'Union africaine pour les élections législatives du 17 décembre 2022 en République tunisienne, Déclaration préliminaire, 19 December 2022.

¹⁰ Human Rights Watch, Tunisia: President's Repressive Policies Abrogate Rights, 11 September 2021.

¹¹ Business News, Commission internationale de juristes : le décret-loi 54 menace la liberté d'expression, 20 September 2022.

¹² Amnesty International, Tunisie, les enquêtes diligentes mettent en évidence de nouvelles menaces pour la liberté d'expression, 12 December 2022.

¹³ Amnesty International, Tunisia: President Saied must immediately stop his political 'witch hunt', 17 February 2023.

¹⁴ Amnesty International, Tunisia: Authorities must free prisoners held in latest crackdown, 30 March 2023.

Other provisions target civil society directly. In February 2022, Kais Saïed announced his intention to tighten control over associations in Tunisia and ban foreign funding for Tunisian organisations¹⁵. A draft law was presented in November 2023, aimed at amending Decree-Law 88 of 2011 regarding the organisation of associations.

According to the proposed measures, Tunisian associations would be subject to regular judicial supervision and would require authorisation from the administration to accept foreign funding. Non-Tunisian associations would also be affected, as they would need approval from the Ministry of Foreign Affairs to operate,

which could be withdrawn at any time¹⁶. Even if this bill has yet to be approved, it represents a real threat of placing civil society organisations under government control.

Tunisian authorities exercise control over any form of opposition, including through the specific targeting of lawyers. As highlighted by Amnesty International, at least twenty lawyers representing individuals from various opposition parties or activist groups have been subject to criminal investigations based on false accusations¹⁷.

THE RISE OF XENOPHOBIA WITHIN THE STATE'S HIGHEST LEVEL IN A CRITICAL ECONOMIC AND SOCIAL CONTEXT

This intense repressive environment is unfolding in a country currently going through a profound economic, social, and environmental crisis. This situation has been exacerbated by the Covid-19 pandemic, the consequences of the Russian aggression in Ukraine, and recurring extreme weather events. Tunisia is facing high inflation (exceeding 10% in 2023), growing shortages of essential goods, and a worrying unemployment rate (around 15%).

Heavily burdened with debt, Tunisia is closely monitored by the International Monetary Fund (IMF), which has suggested initiating consultations for an aid programme in July 2022, following an emergency loan granted in April 2020. However, negotiations for a new \$1.9 billion loan have stalled since the end of 2022, with Kais Saïed refusing some radical reforms proposed by the IMF, including the removal of subsidies on commodities and the restructuring of State-owned companies¹⁸.

In February 2023, the President wasted no time leveraging this situation to blame perceived enemies of the State and those deemed responsible for the surge in food prices. Alongside the politicians and human rights activists arrested during this period, he also pointed the finger at hordes of illegal migrants as a source of violence, crimes and unacceptable acts¹⁹ during a national security council meeting held on 21 February. This racist hate speech was strongly condemned by the African Union a few days later²⁰, followed by United Nations experts²¹.

No European leader condemned these remarks, particularly as intense discussions regarding the restructuring of the Tunisian economy are ongoing with the EU. In this context of financial negotiations, it is highly probable that the European Commission employed the strengthening of Tunisia's migration control capabilities as a form of leverage²². This likely facilitated the signing of the Memorandum of Understanding between the EU and Tunisia in July 2023, providing €900 million in support for Tunisia if an agreement is reached with the IMF, along with €150 million in unconditional budgetary assistance, and €105 million for migration control²³. This occurred despite rights violations of exiled people reaching an unprecedented peak in this country during the same period.

¹⁵ RFI, Tunisie : vers une interdiction du financement étranger des associations, 26 February 2022.

¹⁶ Jeune Afrique, Tunisie : après les partis, la presse et les syndicats, les associations dans la tourmente ?, 24 November 2023.

¹⁷ Amnesty International, Tunisie. En prenant pour cible des avocat·e·s, les autorités entravent l'accès à la justice, 28 mars 2024.

¹⁸ Le Monde, En Tunisie, les négociations avec le FMI sont 'complètement à l'arrêt', 26 July 2023.

¹⁹ Le Monde, En Tunisie, le président Kais Saïed s'en prend aux migrants subsahariens, 22 February 2023.

²⁰ Le Monde, Tunisie : l'Union africaine condamne les déclarations « choquantes » du président Kais Saïed sur les migrants subsahariens, 25 February 2023.

²¹ United Nations Human Rights Council, Mandats de la Rapporteuse spéciale sur les formes contemporaines de racisme, de discrimination raciale, de xénophobie et de l'intolérance qui y est associée; du Groupe de travail d'experts sur les personnes d'ascendance africaine; du Groupe de travail sur la détention arbitraire; de la Rapporteuse spéciale sur la promotion et la protection du droit à la liberté d'opinion et d'expression et du Rapporteur spécial sur les droits de l'homme des migrants, 28 March 2023.

²² RFI, Tunisie : l'UE propose un « partenariat renforcé » conditionné, en partie, à un accord avec le FMI, 11 June 2023.

²³ Euronews, The contentious EU-Tunisia deal is finally here. But what exactly is in it?, 18 July 2023.

2

SYSTEMATIC BORDER RIGHTS VIOLATIONS BY TUNISIAN AUTHORITIES

Tunisia has always tried to strike a balance between its own migration policy, officially characterised as welcoming and respectful of rights, and the expectations the European Union would tend to impose. Following the 2011 Revolution, Tunisia adopted an open public stance, declaring its desire to welcome a greater number of African students and passing legislation to provide more protection against human trafficking and discrimination²⁴.

At the same time, for several years, the country has refused official and direct cooperation with the European Border and Coast Guard Agency (Frontex), despite the implementation of operations in the Central Mediterranean such as Seahorse or the EU4BorderSecurity project. These initiatives already allow the use of satellite data collected by Frontex by the Tunisian authorities²⁵. In late June 2018, Tunisia also proclaimed loud and clear its opposition to establishing landing platforms on its territory, an idea launched by the European Council at that time²⁶. Finally, despite the agreement in principle on the opening of negotiations since the signing of the Mobility Partnership in 2014, Tunisia refuses to sign a readmission agreement with the EU²⁷.

However, numerous legislative gaps and challenges in accessing rights have made the living conditions of foreigners in Tunisia particularly difficult for years. Some organisations even speak of Tunisia's approach as one of «*non-reception policies*», combining humanitarian and security management of exiled people, in collaboration with the EU and international organisations. They denounce flawed asylum procedures, the widespread use of arbitrary detention, and the organisation of deportations from the territory in roundups²⁸.

Collective expulsions of individuals from sub-Saharan countries by police forces to the Tunisian-Libyan border have been particularly publicised since 2019²⁹ and massive demonstrations by refugees and asylum seekers in front of the United Nations High Commissioner for Refugees since 2022³⁰, particularly repressed, have highlighted this context of human rights violations.

²⁴ In 2016, the country adopted legislation on the protection of victims of trafficking, a law against racial discrimination in 2018, and, the same year, a decree exempting students from penalties for «illegal residence».

²⁵ Statewatch, EU: Tracking the Pact: Tunisia refuses cooperation with Frontex but will set up an "integrated border surveillance" system, 5 April 2022.

²⁶ FranceTV Info, Tunisie : le difficile accueil des migrants rescapés de la Méditerranée, 14 September 2018.

²⁷ Konrad Adenauer Stiftung, The EU Mobility Partnerships with the South, Med Dialogue Series n°28, September 2020.

²⁸ Migreurop, FTDES, Policies of non-acceptance of migrants in Tunisia : humanitarian actors at the service of European security policies, June 2020.

²⁹ France 24, Des centaines de migrants expulsés dans le désert tuniso-libyen : « Il y avait même une femme enceinte », 5 October 2021.

³⁰ Inkyfada, From Zarzis to Tunis, exiles demonstrate against the lack of UNHCR protection, 23 April 2022.

ARBITRARY ARRESTS, MASS EXPULSIONS, AND DESERT ABANDONMENT

Although collective evictions of individuals of sub-Saharan origin in the desert are not new, the situation has nevertheless significantly worsened since 2023. In February, President Kais Saïed's hateful and racist comments sparked a surge in attacks against migrants in Tunisia's main cities, particularly Sfax. Associations have denounced cases of threats, violence, and acts of torture, by both members of the public and security forces, who are also responsible for arbitrary arrests³¹.

Tensions escalated at the end of June, when Tunisian associations and international organisations warned of the growing number of arbitrary arrests targeting people of sub-Saharan origin, as well as collective and mass deportations to the desert border regions of Algeria and Libya. Without access to food or water, these people are then stranded in a «buffer zone», unable to cross the heavily guarded borders or return to Tunisian territory. International associations and organisations remain for days without being able to provide vital assistance to these people in distress. *Human Rights Watch* estimates that in mid-July 2023, more than 1,200 individuals, children, women, and men, were stranded in these areas³².

Although official and comprehensive figures are unavailable, Libyan authorities claimed to be responsible for identifying 27 bodies during this period, while the Libyan Human Rights Committee reported that 35 bodies were recovered by Libyan border guards³³. Among them are those of a 6-year-old Marie and her mother, Fati Dosso, whose photographs circulated on social media and picked up by the international press³⁴. Of Ivorian origin, they had been arrested a few days earlier by the Tunisian authorities, then abandoned without assistance, leading to a slow agonising death due to lack of water³⁵.

These horrific images surfaced just four days following the signing of the Memorandum of Understanding with the EU on 16 July 2023. By allocating €105 million to «*combat anti-smuggling operations, reinforce border management and speed up the return of asylum seekers*», the EU reaffirms its financial, material, and human support to the Tunisian forces involved in collective expulsions in the desert. According to *Human Rights Watch*, these include members of the Tunisian National Guard and the General Directorate of Borders and Foreigners (DFE), both heavily funded by the EU (cf. infra). Since then, the situation has persisted. In September 2023, *Human Rights Watch* once again denounced collective deportations of over 100 people to the desert bordering Algeria, organised after maritime interceptions by the Tunisian coast guard, and carried out by the Tunisian National Guard and/or border police³⁶. This collaboration among the three security services appears to have become systematic in the following months. In October, *Le Monde* revealed that nearly 3,700 people of sub-Saharan origin had been deported to Libya by the Tunisian authorities since June, with approximately 30 confirmed deaths and over 80 people reported missing³⁷.

³¹ Amnesty International, Tunisia: President's racist speech incites a wave of violence against Black Africans, 10 March 2023.

³² Human Rights Watch, Tunisie : pas un lieu sûr pour les migrants et réfugiés africains noirs, 19 July 2023.

³³ InfoMigrants, Le bilan s'élève à 27 morts dans le désert tuniso-libyen selon Tripoli, 10 August 2023.

³⁴ Twitter account "Refugees in Libya". Tweet dating 20 July 2023.

³⁵ InfoMigrants, Elles s'appelaient Fati et Marie : les corps sans vie pris en photo dans le désert libyen ont été identifiés, 26 July 2023.

³⁶ Human Rights Watch, Tunisia: African Migrants Intercepted at Sea, Expelled, 10 October 2023.

³⁷ *Le Monde*, En Tunisie, les autorités continuent de chasser les migrants à la frontière algérienne, 16 October 2023.

In December, *Libération* reported that over 5,500 migrants had been deported to Libya and more than 3,000 to Algeria since June, although it suggested that these figures could be significantly underestimated. The French daily even speaks of collaboration between the Tunisian National Guard and a Libyan militia, which would take migrants to detention centres in Nalout and then Tripoli³⁸, where extortion, violence, torture, rape, arbitrary executions, enforced disappearances, and slavery have been widely documented since 2018. A recent report by United Nations experts even mentions crimes against humanity committed in these locations and highlights the financial and material support of the European Union and its Member States to the Libyan authorities involved in these atrocities³⁹.

SEA INTERCEPTIONS AND VIOLENCE

The situation of violence against migrants by the Tunisian Coast Guard is unfortunately not new either. Associations involved in sea rescue efforts have been denouncing the mistreatment carried out by members of the Tunisian Coast Guard (GNM) towards people of sub-Saharan origin since at least 2019⁴⁰. However, the situation seems to have worsened significantly over the past couple of years.

The deterioration of the living conditions of migrants in Libya has undoubtedly led to an increase in the number of people migrating from Tunisia in recent years. The Tunisian government's racist speeches, coupled with the violence that followed, have without doubt had a significant impact on people of sub-Saharan origin living in the country, whether temporarily or permanently, to seek departure.

Furthermore, interceptions at sea by the Tunisian authorities reached a record high in 2023, with nearly 70,000 people intercepted, according to figures provided by the GNM⁴¹. These operations have doubled compared to 2022. However, numerous testimonies of migrants collected by academics and civil society organisations report malicious acts and violence committed by members of the GNM or the Tunisian Navy against people of sub-Saharan origin, but also Tunisians. Strong suspicions of clashes with the Navy or the GNM, as well as assaults on Tunisian citizens, have surfaced during major protests following the tragic shipwreck off the coast of Zarzis on 21 September 2022, claiming the lives of 17 young Tunisians, half of whom were minors⁴².

In April 2023, associations accused the Tunisian Coast Guard of systematically «stealing migrants' engines and capsizing boats» during these maritime interception operations, based on testimonies gathered from many victims. Some people also reported that people were abandoned at sea, left adrift after their petrol cans and engines were stolen, a statement confirmed by a search and rescue at sea association, which lists 70 fatalities in Tunisian waters in April 2023 alone⁴³.

³⁸ Libération, Tunisie : les expulsions de migrants et réfugiés aux frontières se poursuivent, 22 December 2023.

³⁹ United Nations Human Rights Council, Report of the independent fact-finding mission on Libya, 27 March 2023.

⁴⁰ Alarm Phone, Deadly policies in the Mediterranean: Stop the shipwrecks caused off the coast of Tunisia, 19 December 2022.

⁴¹ Le Courrier de l'Atlas, Environ 70 000 interceptions de migrants en provenance de Tunisie en 2023, 13 December 2023.

⁴² Le Monde, A Zarzis en Tunisie, le naufrage de jeunes partis pour l'Europe nourrit la colère de la population, 29 December 2022.

⁴³ Info Migrants, Tunisie : les garde-côtes accusés de voler les moteurs des migrants et de faire chavirer les embarcations, 24 April 2023.

The *Alarm Phone* network has collected testimonies, photos, and videos of violence carried out by the Tunisian coast guard. These records document multiple forms of violence, such as «*beating people with sticks, firing shots in the air or in the direction of the engine, knife attacks, dangerous maneuvers to attempt to sink boats, demanding money in exchange for rescue*», but also boats hit by GNM vessels, leading to deaths, some of which have been reported in the press⁴⁴. *Human Rights Watch* also collected several testimonies about the violence in July 2023⁴⁵.

These inhuman and degrading acts, which show practices of non-assistance to individuals in danger and manifest endangerment of the lives of others, must be considered in the context of all the growing material, financial, and human support provided to the Tunisian Coast Guard and Border Guard by the European Union and certain Member States, including France.

3

INCREASING FUNDING FROM THE EUROPEAN UNION AND FRANCE FOR TUNISIAN BORDER CONTROL AUTHORITIES

Migration cooperation between the EU and Tunisia started in 1990 through the 5+5 dialogue, bringing together ten Mediterranean countries⁴⁶. This political dialogue's aim was to facilitate the conclusion of readmission agreements, intended to repatriate individuals from the southern Mediterranean countries to those on the northern shore. It specifically helped bilateral migration cooperation between Italy and Tunisia, with the initial agreement signed in 1998⁴⁷.

Apart from these special ties with Italy, the majority of migration cooperation with Tunisia has been via the EU in recent years. Since 2004, the European Neighbourhood Policy has enabled the establishment of «*mobility partnerships*» with third countries. These partnerships aim to facilitate visa acquisition for signatories, in exchange for increased cooperation on readmission. However, the partnership between the EU and Tunisia was finalised in 2014⁴⁸, amidst significant European pressure following the 2011 Revolution and the subsequent increase in emigration from Tunisia to Europe.

⁴⁴ Alarm Phone, *Deadly policies in the Mediterranean: Stop the shipwrecks caused off the coast of Tunisia*, 19 December 2022.

⁴⁵ Human Rights Watch, *Tunisia: No Safe Haven for Black African Migrants, Refugees*, 19 July 2023.

⁴⁶ The 5+5 dialogue brings together Algeria, France, Italy, Libya, Malta, Mauritania, Morocco, Portugal, Spain, and Tunisia.

⁴⁷ ASGI, *Italia-Tunisia repatriation agreements: as numbers of enforced removals rise, much is still to be known*, 2 March 2021.

⁴⁸ Migreurop, FTDES, *Policies of non-acceptance of migrants in Tunisia : humanitarian actors at the service of European security policies*, June 2020.

Since then, Tunisia-EU relations have been rather tense. Even though the country's public stance of hostility to becoming the European Union's border guard, it has been quietly accepting substantial funds as part of a discreet form of outsourcing on behalf of the EU. This attitude has become particularly evident since 2015, with the receipt of funding from the *Emergency Trust Fund for Stability and the Fight against the Root Causes of Irregular Migration and Displaced Persons in Africa* (known as EUTF) as well as from the European Neighbourhood, Development and International Cooperation Instrument (NDICI) since 2021.

Despite the authoritarian direction of the regime and the violence inflicted upon exiled individuals, the EU does not currently challenge migration cooperation with Tunisia; rather, it appears to endorse it. In recent years, both the European Commission and EU Member States, such as France, have increased funding and announcements of support for the authorities in charge of border controls, both at sea and on land.

2015-2021: THE EMERGENCE OF PROJECTS TO STRENGTHEN THE TUNISIAN COAST GUARD AND BORDER GUARD

Since 2011, various funding mechanisms have supported the externalisation of European borders in Tunisia. However, the amounts involved remained marginal until 2015 when EUTF was established, following the Euro-African summit in Valletta⁴⁹. This unique emergency fund, in addition to the European budget, is dedicated to cooperation in the field of migration.

In Tunisia, over €87 million was allocated between 2015 and 2021 to achieve various objectives within the EUTF⁵⁰:

- ▀ Support for legal migration (16%)
- ▀ Protection and «stabilisation» of communities (18%)
- ▀ Support for better governance and assistance with «voluntary» returns (23%)
- ▀ Integrated border management and «combating smuggling» and human trafficking (44%)

The first three objectives cover a range of projects that, under seemingly positive titles, sometimes involve activities directed at controlling exiled populations and limiting their mobility. However, this note focuses only on the final pillar of the EUTF in Tunisia, exclusively dedicated to border management, and also the most significant in financial terms, representing over **€38.2 million**.

Primarily implemented through the **Border Management Programme for the Maghreb Region** (BMP Maghreb) this project spans two countries, Morocco and Tunisia, between 2018 and 2024. Out of the initial €55 million from the BMP Maghreb, €20 million has been allocated to Tunisia. This was followed by an additional €10 million negotiated by Tunisia in February 2020 to provide resources against «*people smuggling on land*»⁵¹. The BMP Maghreb will ultimately allocate **€30 million** to strengthen the capacities of Tunisian authorities involved in coastal border control.

⁴⁹ For a summary of the EUTF, see the box on page 13 of the CCFD-Terre Solidaire report, *Dans l'angle mort. Le rôle de la France l'externalisation des politiques migratoires européennes*, September 2022.

⁵⁰ European Commission, *EU migration support in Tunisia*, June 2023. Page accessed on 18 January 2024.

⁵¹ European Commission, *Action document for the implementation of the North Africa window. T05-EUTF-NOA-REG-07*, 2 March 2023. Page accessed on 19 January 2024.

This initiative is carried out by the Italian Ministry of the Interior and the International Center for Migration Policy Development (ICMPD⁵²), an international organisation of 20 States from the EU, the Balkans, and Turkey. ICMPD is committed to migration governance and providing advisory services to other States on migration policy.

The BMP Maghreb aims to «mitigate vulnerabilities arising from irregular migration and to combat irregular migration»⁵³. In Tunisia, the programme is actually focusing on maritime surveillance and the creation of an «integrated system» for maritime border control. This mainly involves the reinforcement of the GNM's maritime surveillance capabilities, alongside the patrol vessels already provided by Italy⁵⁴.

In practical terms, the BMP in Tunisia allows the purchase and delivery of equipment for the GNM, along with training in the use and maintenance of this equipment, and technical support for maritime surveillance⁵⁵. According to European Commission documents, the Tunisian part of the BMP Maghreb also benefits other institutional entities, such as the technical services of the National Guard, the Ministry of Defence, and the Tunisian Navy. Although access to funding details is limited due to the EUTF's evaluation reports being extremely vague⁵⁶, the ICMPD has considered providing the Tunisian GNM with drones, radars, thermal cameras, sonars, remote-controlled boats, computer equipment, or radio reception antennas⁵⁷.

Closely related, another initiative was also developed during this period to enhance border controls in Tunisia, titled **Integrated Border Management Tunisia** (IBM). The IBM programme took place in three phases, implemented by ICMPD between 2015 and 2023:

IBM I, funded by the Swiss Ministry of Foreign Affairs and the European Commission, focuses on modernising and strengthening the capacities of national institutions in charge of sea, land, and air border control⁵⁸.

IBM II, funded by the German Foreign Office, aims to achieve similar goals by establishing two «border» training centres in the north and south of the country. Additionally, it entails expanding the operational centres of the Police Directorate of Borders and Foreigners of the Directorate General of National Security (DFE) as well as the local guard of the General Directorate of Border Guards (DGGF)⁵⁹.

IBM III, funded by Austria, Denmark, and Germany, involves the creation of two training centres, the expansion of operational centres at three border agencies, and the development of new technologies to improve security communication⁶⁰.

At the conclusion of the project's three phases, two training centres for border guards have been established: an inter-agency training and training centre (police, national guard, and customs) located in Nefta in the south of the country, inaugurated on 17 November 2023⁶¹, and a regional training centre located in Oued Zerga in the north of the country, inaugurated on 21 November 2023⁶². For many years, these centres have been a source of ongoing concern for Tunisian civil society, which sees them as increased risks for people exiled in Tunisia and a renunciation of national sovereignty⁶³. It is currently impossible to find the official overall budget for the IBM Tunisia project, but according to a Tunisian organisation, the ICMPD would have benefited from at least **€33 million** for the creation of these two centres alone⁶⁴.

The IBM project has also led to the establishment of operational standards for border management, the creation of specialised centres within the National Guard, and the implementation of a maritime surveillance system called ISMariS, centralising data collected by the GNM⁶⁵. ISMariS has raised numerous concerns regarding data protection and its sharing with Frontex, especially from parliamentarians and researchers⁶⁶. To date, the European Commission has only offered vague and incomplete responses on this matter.

⁵² <https://www.icmpd.org/>

⁵³ European Commission, Action document for the implementation of the North Africa window. T05-EUTF-NOA-REG-07, 2 March 2023. Page accessed on 19 January 2024.

⁵⁴ Maritime News, La Tunisie se fait livrer 12 patrouilleurs par le gouvernement italien pour lutter contre l'immigration clandestine, 26 August 2014.

⁵⁵ European Commission, CTR-Border Management Programme for the Maghreb region (BMP-Maghreb) Phase I and II. Page accessed on 19 January 2024.

⁵⁶ EUTF, Monitoring and Learning System EUTF - North of Africa Window. 2022 Report, December 2022. Page accessed on 22 January 2024.

⁵⁷ According to the confidential document published by FragDenStaat, Feasibility study. Briefing dossier on European Union's support to the integrated coastal surveillance system of the Maritime national Guard. BMP Maghreb – Tunisia component, 22 November 2019. Page accessed on 22 January 2024.

⁵⁸ ICMPD, IBM Tunisia: Support programme to Integrated Border Management in Tunisia. Page accessed on 19 January 2024.

⁵⁹ ICMPD, IBM Tunisia II: Support programme to Integrated Border Management in Tunisia – Phase II. Page accessed on 19 January 2024.

⁶⁰ ICMPD, IBM Tunisia III: Support programme to Integrated Border Management in Tunisia – Phase III. Page accessed on 19 January 2024.

⁶¹ SCET-Tunisie, Training Center for Tunisian Border Guards in Nefta, 17 November 2023.

⁶² L'Economiste Maghrébin, Béja : inauguration du premier centre de formation commun pour la gestion des frontières, 21 November 2023.

⁶³ See Inkyfada, Comment l'Europe contrôle ses frontières en Tunisie ?, 20 March 2020 and Univers News, Le "centre" de tous les dangers ?, 20 November 2023.

⁶⁴ FTDES, Decrypting ICMPD: How a Vienna-based organization coordinates and facilitates for the expansion of a restrictive multi-stakeholder border control regime in Tunisia and beyond, 12 June 2021. Page accessed on 23 January 2024.

⁶⁵ European Commission, Action document for the implementation of the North Africa window. T05-EUTF-NOA-REG-07, 2 March 2023. Page accessed on 22 January 2024.

⁶⁶ For example Question for written answer to the Commission E-000891/2020, 13 February 2020 or AskTheEU - Initiative on Maritime Surveillance – Integrated Sea Border Surveillance System in Tunisia (ISMariS), 12 July 2022.

Through the BMP Maghreb and IBM Tunisia initiatives, the EU will have allocated over **€63 million** on strengthening border control capacities in Tunisia since 2015, far exceeding the €38.7 million disbursed under the EUTF, according to data from the European Commission.

2021-2027: CONSOLIDATION AND BUDGETING FOR PROJECTS TO STRENGTHEN BORDER CONTROLS

Since 2021, the EU has adopted a new budgetary framework covering the period of 2021-2027, introducing the European Instrument for External Assistance (NDICI). More than 10% of this instrument must be allocated to migration-related projects. The majority of migration projects planned in Tunisia within the NDICI are being developed through the Multi-Country Migration Programme for the Southern Neighbourhood (MCMP). The main aim of this MCMP is to perpetuate or extend the activities initiated through the EUTF, but this time within the framework of the European budget.

The MCMP's budget for the 2021-2024 period totals €573 million, with 50% dedicated to «*migration and asylum management*»⁶⁷. One of the goals under this category is to «*support relevant migration and asylum authorities (...); build the capacity of border and coast-guard authorities and search and rescue (SAR) capacities*»⁶⁸.

In practice, in terms of border management, the MCMP in Tunisia has been operationalised through the implementation of two main regional initiatives in 2021 and 2022: the EU Support to the institutions in charge of border management in Libya and Tunisia, and the EU Support for cross-border cooperation and integrated border management in North Africa.

The first initiative allocates €25 million solely to Tunisian institutions, supplemented by an extra €10 million from the BMP Maghreb to extend EUTF funding. This brings the total to **€35 million**, distributed as follows:

- ▀ €16.5 million for the creation of a Maritime Rescue Coordination Center in Tunisia (MRCC) for the GNM and the Tunisian Navy, facilitated by CIVIPOL, the international technical cooperation operator of the French Ministry of the Interior⁶⁹.
- ▀ €13.5 million for the training of the GNM to develop their capabilities in maritime border management and search and rescue, facilitated by ICMPD.
- ▀ €5 million for the development of a coastal surveillance system, prior to the establishment of the MRCC, carried out by the ICMPD and the Italian Ministry of the Interior⁷⁰.

Regarding the second initiative, little information is currently available. It is estimated to have a budget of **€6 million** for all countries and aims primarily to develop cooperation among North African countries with the goal of «*securing their borders*», by implementing pilot projects at designated border control points «*through the provision of equipment and training*». In Tunisia, these pilot projects could include the Ben Gardane (border with Libya) and Malloula (border with Algeria) border crossings⁷¹. Currently, no development partners have been publicly disclosed.

⁶⁷ Oxfam International, From development to deterrence? Migration spending under the EU neighbourhood development and international cooperation instrument (NDICI), 21 September 2023.

⁶⁸ European Commission, Multi-annual indicative programme for a multi-country migration programme for the Southern neighbourhood 2021-2027, 2022. Page accessed on 23 January 2024.

⁶⁹ <https://www.civipol.fr/>

⁷⁰ Casajuana, E., Pintus, G.J., Beyond Borders, Beyond Boundaries: A Critical Analysis of EU Financial Support for Border Control in Tunisia and Libya, Amsterdam, November 2023.

⁷¹ European Commission, Action document for support to cross-border cooperation and integrated border management in North Africa, 2022. Page accessed on 23 January 2024.

In parallel with funding under the NDICI, the EU and its Member States officially launched regional migration initiatives called *Team Europe initiatives* at the end of December 2022. One of these initiatives concerns the «Central Mediterranean Migration Route» and is expected to mobilise **€1.13 billion**. No details regarding the funding are currently available, but implementation is expected to align with the twenty pillars of the EU Action Plan for the Central Mediterranean, presented on 21 November 2022⁷². One of the pillars (n°3) specifically focuses on the strengthening of Tunisia's capacities, alongside Libya and Egypt, to develop joint actions to «prevent irregular departures, support more effective border and migration management, and reinforce search and rescue capacities»⁷³.

However, the funding that has gained significant attention in recent months is that which was announced as part of the Memorandum of Understanding signed between the EU and Tunisia on 16 July⁷⁴, of which **€105 million** would be allocated to «managing migration flows, securing borders and strengthening regular migration contexts». This allocation came in the midst of a scandal over the mass expulsions of migrants to the desert and their abandonment. Some Members of the European Parliament viewed this financing agreement as a *carte blanche* from the EU to the authoritarian and xenophobic tendencies of Kais Saied⁷⁵. In addition, EU Member States have criticised the European Commission for bypassing the protocols for signing a European agreement with a foreign nation, as they were not officially consulted in a dedicated Council meeting⁷⁶.



NEARLY
200 MILLIONS
EURO PROMISED BY THE EU
SINCE 2015

Despite these criticisms, in September 2023, the European Commission announced the allocation of €67 million for «migration actions»⁷⁷ out of the €105 million initially announced. However, a few days later, Kais Saied declared his rejection of this financial aid, which he said contravened the commitments of the Memorandum of Understanding⁷⁸ and amounted to «charity». The European Commission has since clarified that out of the €67 million, €42 million was partly used for the renovation of Tunisian coastguard vessels and return operations in Tunisia, while €24.7 million was from projects already underway⁷⁹. In December 2023, the European Commission disbursed €150 million to Tunisia⁸⁰, designated to support the first pillar of the memorandum of understanding, focusing on macroeconomic stability⁸¹.

⁷² European Commission, "EU working together with African partners on migration: Launch of Team Europe initiatives", 12 December 2022. Page accessed on 23 January 2024.

⁷³ European Commission, EU Action plan for the Central Mediterranean, 21 November 2022. Page accessed on 23 January 2024.

⁷⁴ European Commission, Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia, 16 July 2023.

⁷⁵ Euronews, MEPs blast European Commission for signing deal with Tunisia 'cruel dictator', 18 July 2023.

⁷⁶ European Conservative, Revealed: EU and Meloni bypassed Germany on Tunisian migration deal, 6 August 2023.

⁷⁷ Delegation of the European Union to Tunisia, La Commission européenne annonce près de 127 millions d'euros en appui à la mise en œuvre du Mémorandum d'entente avec la Tunisie, et conformément au plan en 10 points pour Lampedusa, 22 September 2023.

⁷⁸ Le Monde, En Tunisie, le président Kais Saïed se rebelle contre la politique migratoire européenne, 3 October 2023.

⁷⁹ Le Point, Immigration illégale : la Tunisie refuse la "charité" de l'Union européenne, 3 October 2023.

⁸⁰ Le Monde, L'Union européenne débloque une aide financière de 150 millions d'euros pour la Tunisie, 20 December 2024.

⁸¹ Delegation to the European Union to Tunisia, L'Union européenne et la Tunisie conviennent d'un programme de 150 millions d'euros, 20 December 2024.

In March 2024, the European Parliament adopted a resolution⁸², reminding the European Union of its obligations to monitor the respect for human rights within the context of cooperation with third countries. It expressed regret over the Commission's failure to follow procedures in concluding international agreements: the amount to be paid to Tunisia was announced even before the memorandum of understanding was signed, and then the Commission resorted to an urgent written procedure to adopt special aid measures for Tunisia, without prior consultation with the Parliament. Through this resolution, the Parliament urges the Commission to provide specific explanations for its decision to apply this procedure and to detail the guarantees it can offer regarding the actions of the Tunisian authorities.

Since 2021, the EU has committed over **€136 million** for the reinforcement of the authorities in charge of border controls in Tunisia alone, more than double the funds allocated for the BMP Maghreb and IBM Tunisia projects since 2015. In doing so, they strengthened support for the GNM and the DFE, two bodies that have been widely implicated, in recent years, in human rights violations mentioned earlier.

FRANCE'S SIGNIFICANT CONTRIBUTION TO TRAINING AND SUPPLYING EQUIPMENT TO TUNISIAN BORDER CONTROL AUTHORITIES

The majority of funding allocated to migration during this period is channelled through the EU. The contribution from Member States may therefore seem minor, but some are not to be outdone. While Italy is often cited for its long-standing and special cooperation with Tunisia, as well as its interests concerning migration to its shores, France has also made substantial contributions in recent years to border control projects.

However, gaining access to all the projects and funding allocated by France in Tunisia on this matter is extremely complex. Nonetheless, the French Development Agency (AFD) produces an annual report on its bilateral aid contributing to the «Migration and Development» action plan. This report includes all migration projects implemented by AFD and other French international cooperation entities. To date, it stands as the sole comprehensive database on French migration cooperation.

However, the information within it lacks precision, and there is no public access to the PaMigDev database, which lists all the projects.

The first objective of this action plan, dedicated to improving migration governance, includes activities related to capacity building for institutions in charge of migration control and support in border management and the fight against cross-border crime⁸³. These reports specify that Tunisia is one of France's top 5 priority countries in terms of migration. Without clear data and from reading imprecise graphs, it is estimated that France allocated approximately €50 million in 2018 and the same amount in 2019 to all the projects addressing migration issues in this country, including those aimed at strengthening border controls, which appears to be insufficient.

⁸² European Parliament, Resolution on the adoption of the special measure in favour of Tunisia for 2023, 14 March 2024.

⁸³ French Development Agency, Action plan follow-up « Migrations internationales et développement ». Reports 2019, 2020-2021, 2022. Non-public.

Consulting the OECD's *Creditor System Report* database is not much more conclusive, as a number of data are missing from code 15190, which since 2018 refers to all projects facilitating safe, orderly and regular mobility and migration accounted for as official development assistance, including measures relating to capacity-building for strategy and policy development (including border management) in developing countries⁸⁴. Between 2018 and 2022, only €156,722 would have been allocated by France to Tunisia under this code in 2019, and €477,746 in 2022⁸⁵, potentially contradicting the AFD reports mentioned above.

With regard to European documents, France nevertheless claims to have contributed significantly to migration projects in Tunisia, and in particular those devoted to border control. In an EU Council document on the implementation of the European Pact on Asylum and Migration, France is cited for its bilateral assistance dedicated to «border management and biometrics», which has enabled «considerable progress in cooperation on returns and readmission»⁸⁶. The country is also the leader of the Team Europe Initiative on the Central Mediterranean Migration Route, alongside Italy⁸⁷.

Given the challenges in tracking France's bilateral aid to Tunisia, it is easier to identify the European projects undertaken by French international technical cooperation operators. Among these, the operator of the French Ministry of the Interior – **CIVIPOL** – appears to be a reference on projects related to border control and biometrics, not only in Tunisia but also in numerous other countries⁸⁸.

Since 2016, CIVIPOL has contributed to numerous European projects in Tunisia, with a significant focus on strengthening border controls:

▀ The **support project to combat terrorism in Tunisia** (LCCT) was initiated between 2016 and 2018 for its first phase and continued from 2019 to 2022 for its second phase. The second phase received €2.4 million to, among other objectives, «Build the Tunisian National Guard's operational capacity»⁸⁹.

▀ The **Support Programme for the Security Sector Reform and Modernisation in the Republic of Tunisia** (PARMSS Tunisia) was implemented from 2020 to 2023, with a budget of €3.6 million. In particular, it has supported «border security» through the strengthening of operational capacities for border surveillance and intervention (creation of a mobile brigade), the development of an automated border control system for land, sea and airport borders (biometrics), and training for the Police Directorate of Borders and Foreigners (DFE) and the Directorate General of Customs⁹⁰.

▀ The **Border Management Programme – Maghreb Region** (BMP Maghreb) commenced in 2022 with a budget of €16.5 million. As mentioned above, CIVIPOL secured the contract for establishing an operational Maritime Rescue Coordination Center in Tunisia (MRCC) for the GNM and the Tunisian Navy, carried out in coordination with the German Development Cooperation (GIZ).

In 2023, CIVIPOL also published a number of calls for applications for experts for positions related to border control programmes in Tunisia. Some of these roles are linked to a project titled «Support search and rescue operations at sea in Tunisia», which is probably associated to the BMP Maghreb^{91 92}. However, others reference a project linked to a consortium (France, Italy, Spain, UNODC) to respond quickly to the multidimensional phenomenon of migrant smuggling and trafficking in human beings⁹³. This project is likely part of the Team Europe Initiative – Central Mediterranean Route and/or could also involve the €105 million funding announced by the European Commission under the Memorandum of Understanding signed in July 2023⁹⁴.

⁸⁴ OECD, Development finance classifications: Purpose code 15190. Page accessed on 7 February 2024.

⁸⁵ Creditor Reporting System, Base de données de l'OCDE. Page accessed on 24 January 2024.

⁸⁶ Council of the European Union, Operationalization of the Pact: Action plans for strengthening comprehensive migration partnerships with priority countries of origin and transit. Draft action plan: Tunisia, 3 February 2022. Page accessed on 24 January 2024.

⁸⁷ European Commission, InfoPoint conference: Migration – Team Europe initiatives in Africa, 17 March 2023. Page accessed on 24 January 2024.

⁸⁸ CIVIPOL is mentioned by the European Commission in 9 EUTF projects, for a total of €180 million. See the CCFD-Terre Solidaire report on this subject, *Dans l'angle mort. Le rôle de la France l'externalisation des politiques migratoires européennes*, September 2022.

⁸⁹ CIVIPOL, LCCT II - Support Project to Combat Terrorism in Tunisia/ORISM IN TUNISIA. Page accessed on 24 January 2024.

⁹⁰ Privacy International, European Commission document, Document initial relatif à l'action pour le Programme d'appui à la réforme et modernisation du secteur de la sécurité de la République tunisienne, 26 June 2015.

⁹¹ CIVIPOL, Support search and rescue operations at sea in Tunisia. Page accessed on 24 January 2024.

⁹² CIVIPOL, Termes de référence – Expert administrateur/trice de projet. Page accessed on 26 January 2024.

⁹³ CIVIPOL, Coordinateur technique – Investigations – Migration – Tunisie. Page accessed on 26 January 2024.

⁹⁴ European Parliament, Parliamentary question E-003692/2023 – Funding of Tunisian authorities under the MoU of 23 July 2023, 15 December 2023.

MORE FRENCH FUNDING FOR MIGRATION CONTROL IN TUNISIA TO COME?

French international technical cooperation operators could benefit from more projects in the upcoming months. In June 2023, the German and French interior ministers travelled to Tunis to meet with Kais Saied. Just days before the media coverage of the mass deportations of people of sub-Saharan origin in the desert by the Tunisian authorities, Gérald Darmanin announced that France would allocate €25.8 million in bilateral aid to support national efforts to fight against illegal emigration. He said the funds would be used to acquire the necessary equipment and organise useful training, including for Tunisian police and border guards, to contain the irregular flow of migrants and promote the return of these migrants⁹⁵.

CCFD-Terre Solidaire had the opportunity to discuss with the Minister of the Interior's office regarding the nature and details of this funding, alongside the existence and extent of guarantees expected in terms of respect for human rights and the modalities of the possible suspension of the payment of such sums, given the context of proven and repeated human rights violations against exiled individuals. The ministerial representatives declined to provide detailed responses to any of these questions. A subsequent, more formal request for access to this information was never acted upon.

In the Senate⁹⁶ and the National Assembly⁹⁷, two parliamentarians also questioned the government regarding these funds in October 2023 as part of the written question procedure. In the absence of a written response despite reminders from parliamentarians⁹⁸, one of them gave rise to an oral question, to which a response was provided by the Ministry of Interior⁹⁹. In its answer, the French government reaffirmed its support for Tunisia in its efforts to manage « migration flows » and indicated that 5 millions euros provided by France are intended for CIVIPOL, without providing any indications regarding the rest of the committed funds. The government also mentioned a human rights clause in the contract between the operator and one of its subcontractors, but did not provide any indication regarding its content or the means allocated to guarantee its implementation.

Given France's evident lack of transparency concerning these funds and the civil society's interest in addressing the backdrop of human rights violations in Tunisia, the CCFD-Terre Solidaire seized the Commission for Access to Administrative Documents in early January 2024. The Commission issued a favourable decision in February¹⁰⁰. It considered that, given the significance of the issue, it was the responsibility of the Ministry of Interior to disclose all documentation related to the funds allocated by France to Tunisia as part of the « fight against illegal immigration » (subject to documentation that may be covered by defense secrecy). The Ministry was notified of this decision and had a deadline of one month to answer, but did not do so.

⁹⁵ Le Monde, A Tunis, ballet diplomatique de l'Europe sur le dossier migratoire, 20 June 2023.

⁹⁶ Sénat, Accord entre la France et la Tunisie - Question écrite n°08744 - 16e législature - Question de M. Guy Benarroche, 19 October 2023.

⁹⁷ Assemblée nationale, Aide de la France à la Tunisie - Question écrite n°12384 - 16e législature - Question de Mme Sandra Regol, 24 October 2023.

⁹⁸ Sénat, Accord entre la France et la Tunisie - Rappel de la question n°08744, 11 January 2024.

⁹⁹ Sénat, Accord entre la France et la Tunisie - Question orale n°1074S, answer dated 19 March 2024.

¹⁰⁰ Commission d'accès aux documents administratifs, décision n° 20240214 dated 15 February 2024.

CONCLUSION

With the expansion of projects and funding since 2015, it appears that the EU and its Member States, including France, are particularly inclined to sustain their support in the field of migration unconditionally. No consideration seems to have been given either to the authoritarian excesses of the regime or to the widely documented rights violations, overlooking the potential jeopardy to the lives and dignity of migrants in Tunisia. In 2023, 3,041 people died in the Mediterranean Sea, more than 8 people per day, marking the deadliest year since 2016 according to the International Organization for Migration¹⁰¹. More than 110 people are believed to have died or gone missing in the same year in the desert between Tunisia and Libya.

This funding could contribute to violations of fundamental rights, thus implicating the EU and Member States, including France, in responsibility. For the time being, the major obstacle to establishing this lies in the lack of access to information regarding European and French funding. Despite the existence of comprehensive information sheets on the objectives of each project, it is extremely complex and laborious to obtain from authorities details of the funds deployed, in terms of the nature, use, delivery schedule or even recipients of these funds.

However, this question is fundamental when it comes to funding dedicated to border control, which essentially constitutes public funds dedicated to police and/or military projects, that may involve the use of force against particularly vulnerable people. This is particularly significant in a country such as Tunisia, where escalating authoritarianism and the President's assertive xenophobia are increasingly undermining the rights and lives of migrants.

¹⁰¹ ONU Info, Décès en Méditerranée : l'OIM souligne la nécessité de sécuriser les routes migratoires, 29 January 2024.

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Legal deposit May 2024